

**Marion Pavan**

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**From:** Katherine Fonte <katherine@peachtreecas.com>  
**Sent:** Tuesday, December 03, 2013 11:48 AM  
**To:** Marion Pavan; Terry Townsend <TJTArchitect@sbcglobal.net>  
(TJTArchitect@sbcglobal.net)  
**Subject:** RE: All Approvals Received

Marion,

The requirement for prior **written** approval is set forth in the Design Guidelines and the CC&Rs. At no point from June 30, 2010, once Reddy's designs were approved by ADC, through March 6, 2012 (the request for final inspection), did the Reddys seek or receive any written approval from the ADC for any deviations to any of their original approved plans, whether architectural or grading or drainage plans; colors and materials were never submitted for consideration prior to the completion of the home.

Please read the complete paragraph Anil Reddy cites from the Memo to the City dated October 11, 2013: "During the first pre-design conference, and subsequent ADC meetings, the Reddys brought in sketches and photographs similar to what they eventually built, **and were told by the ADC that the architecture and elements described in the sketches and photographs were not consistent with the architectural styles prescribed for Ruby Hill and would not be approved.** Once they received final approval of their plans, the Reddys knowingly constructed features similar to the original sketches and photos, which they knew were unacceptable."

Thank you,

Katherine Fonte  
Association Manager

Ruby Hill Community Center | 2900 E. Ruby Hill Drive | Pleasanton, CA 94566  
(925) 417-1903 | (925) 417-0568 Fax | Office Hours M-F 10AM – 4PM

**From:** Marion Pavan [mailto:MPavan@cityofpleasantonca.gov]  
**Sent:** Tuesday, December 03, 2013 10:39 AM  
**To:** Terry Townsend <TJTArchitect@sbcglobal.net> (TJTArchitect@sbcglobal.net); Katherine Fonte  
**Subject:** FW: All Approvals Received

FYI

**From:** Anil Reddy [redacted]  
**Sent:** Tuesday, December 03, 2013 10:19 AM  
**To:** Marion Pavan; Brian Dolan; Janice Stern; Steve Otto  
**Subject:** All Approvals Received

Marion,

We wish to emphasize that all design approvals (written and verbal) for colors, materials, and features were received from ADC prior to installation of these features. This includes the white and other stucco colors, trim colors, iron doors, column detail, etc. Just as we did everything with City permits and approvals, we also followed the ADC procedures at all times during home construction through completion.

The operating procedure followed on the ground by ADC, included verbal approvals. In addition to arguments previously presented in our defense, we present the following legal argument per Section 11.7 of CC&Rs.

In "Memo" to City, dated October 11, 2013, the ADC admits the we "constructed features similar to the original sketches and photos". Again, we were very clear from the start (April 2010) what we wanted and never deviated from that vision. In addition to initial submission of features and materials used (stucco colors, trim colors, column detail, etc.), sample boards were later submitted, and installation routinely monitored by ADC during all construction with no objection to these installed materials and features.

Per the CC&Rs, Section 11.7, Forms of Approvals and Denials, it clearly states: "Any application which has not been rejected in writing within ninety (90) days from the date of submission **shall be deemed approved**".

This was the operating procedure established by ADC throughout the design review and construction process. Please note that their belated demand to show written approvals is not possible even for the 98% of dozens of other materials that they are not objecting to, example- wood garage doors, flooring, railing, weather vane, etc. Fact is, all of these including the stucco colors, trim colors, iron doors, column detail, etc. were done with ADC approvals.

In keeping with the ADC practiced ground operating procedure for approvals and in keeping with the CC&Rs Section 11.7 rules quoted above, several dozens of materials were approved and installed (with no ADC objection). Only sustained arbitrary objections were to previously approved gazebo and motor-gate, both of which remain unfinished. Rest of the materials, including white and other color stucco materials, iron doors, etc. were installed with no rejection or disapproval by ADC.

Without going into the details of motives behind HOAs discriminative and arbitrary treatment of our home, please know that they have shown the same kind of contempt they have displayed the City their Memo of October 11, 2013 by fabricating non-existent language and rules to suit their motives. In the second paragraph on Page 1 of that Memo, they quote an entirely fabricated statement and attribute it to the Approval Letter of June 30, 2010. This statement as quoted does not exist in that letter, including the words "or after completion". Such fraudulent conduct of tampering with evidential documents exposes HOAs functioning style, at the cost of our suffering.

In light of above arguments supporting all approvals were received, and those previously elucidated to prove our home meets requirements of Guidelines, CC&Rs, Precedents (exceptions, variances, failures to enforce), and HOA/ADC abandonment of right to enforce, we request that the City allow us to keep the as-built home in its present condition.

Regards,  
Anil

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## Marion Pavan

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**From:** Katherine Fonte <katherine@peachtreecas.com>  
**Sent:** Monday, December 02, 2013 5:09 PM  
**To:** Marion Pavan; Terry Townsend <TJTArchitect@sbcglobal.net>  
(TJTArchitect@sbcglobal.net); Bob Jones  
**Cc:** Brian Dolan; Janice Stern; Steve Otto  
**Subject:** RE: Scan from a Xerox WorkCentre  
**Attachments:** Letter from Jim McKeehan to Jeffrey Widman (12.18.12).pdf; DOC.PDF

Hello Marion,

Yes, the ADC's doubts about the garage's 3-car functionality had to do with to the storage area.

However, the letter from the ADC dated August 24, 2012, in which we stated that we would accept the garage was not the latest correspondence regarding the matter. Attached for your reference is a PDF copy of a letter dated December 12, 2012, from our then legal counsel Jim McKeehan, to Reddy's then attorney Jeffrey Widman. Among other things, the garage was specifically addressed in this letter (see page 1, #1 after the second paragraph).

Please let me know if you have any other questions.

Thank you,

Katherine Fonte  
Association Manager

Ruby Hill Community Center | 2900 E. Ruby Hill Drive | Pleasanton, CA 94566  
(925) 417-1903 | (925) 417-0568 Fax | Office Hours M-F 10AM – 4PM

**From:** Marion Pavan [<mailto:MPavan@cityofpleasantonca.gov>]  
**Sent:** Monday, December 02, 2013 11:40 AM  
**To:** Katherine Fonte; Terry Townsend <TJTArchitect@sbcglobal.net> (TJTArchitect@sbcglobal.net); Bob Jones  
**Cc:** Brian Dolan; Janice Stern; Steve Otto  
**Subject:** FW: Scan from a Xerox WorkCentre

Dear Katherine, Terry, and Robert:

Attached is a letter from the Ruby Hill Owners' Association provided to me by Anil Reddy regarding the Committee's decision to "...accept the three-car garage configuration..." of the Reddy project even though the Committee had, "...serious doubts that the garage would function as a three-car garage."

Was the Committee referring to the storage area off to the side of Garage 2 or to the applicants' suggestion of using a parking lift in Garage 2?

Please let me know by 5:00 p.m., Tuesday, December 3, 2013.

Marion

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MCKEEHAN ASSOCIATES  
4670 Willow Road  
Pleasanton, CA 94588  
925-580-7231

December 18, 2012

Jeffery P. Widman  
101 Race Street, Suite 100  
San Jose, CA 95126-3041

Re: Ruby Hill HOA / Anil and Divya Reddy

Dear Mr. Widman:

On December 10, 2012 the Board considered the proposal made by Mr. Reddy in your letter of November 21, 2012. As I previously advised you, they also sought the input of a third party Architect and they had a presentation from the Ruby Hill ADC. Following the meeting, the Memo from the Ruby Hill ADC dated August 17, 2012 was revised as of December 11, 2012 to reflect the information provided to the Board on December 10<sup>th</sup>.

After a significant amount of discussion, the Board voted unanimously to adopt the recommendations of the Ruby Hill ADC as expressed in the attached Memo. In addition, the Board adopted the following Board recommended conditions to the issuance of a final permit to Mr. and Mrs. Reddy:

1. The "Lanai" must be a garage. The Board reviewed the picture provided by Mr. Reddy showing the third car in the garage and was not convinced that the amount of garage space was adequate given the size of the home. The lanai area was originally shown as garage space and the Board is not amenable to Mr. Reddy's unilateral modification of the area to a different use.
2. All work must be completed prior to occupancy. Mr. Reddy has exhibited a total disregard for the Rules of the Association and has shown a willingness to ignore them whenever he chooses. Therefore, the Board is left with no alternative but to assure he has done everything required prior to issuing a final permit for the home. Included in that list of what must be done is the requirement that Mr. Reddy reimburse the Association for the cost it has incurred in processing, reviewing and inspecting his home.
3. The Committee provided to you a report from Mr. Alexander outlining the encroachment issues relating to your neighbor's property. The Committee suggested that you secure the services of a qualified, licensed civil surveyor to

Mr. Jeffery Widman

December 18, 2012

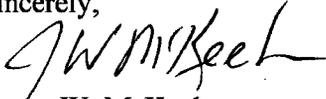
Page 2

address these issues. To date, the Board has not received such a response. The Board agrees with the Committee that Mr. Alexander is qualified and credible and the issues he raises must be addressed before any final construction permit can be granted.

The Board is convinced that the problems Mr. Reddy is currently having with the construction of his home are totally of his own making. The Board believes that they owe a duty to the other 833 homeowners in Ruby Hill who did follow the Rules to assure that those who come later also follow the Rules.

As always, if Mr. Reddy wants to move forward and comply with the conditions imposed by the Board on the issuance of a final permit for his home, they will accommodate him as much as possible.

Sincerely,



James W. McKeehan

Attorney at Law

Cc: Board of Directors

Bob Jones

Ruby Hill Owner's Association  
Architectural Design Committee

# Memo

Date: August 17, 2012  
(Revised 12/11/12 - ADC)  
To: Bob Jones  
From: Ruby Hill ADC  
Re: **Architectural Compliance**  
**Reddy Residence, Lot O-02 - 3737 W. Ruby Hill Drive**

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Dear Mr. Jones:

Please find the ADC's comments below concerning the architectural compliance for the referenced property:

O-02    6896    3737 W. Ruby Hill    REDDY    **Architectural  
Compliance**

- 1 Item #2 - COLUMNS AT AUTO COURT: concession item (re: height of columns) under the condition that a gate is NOT installed.
- 2 Item #4 - SWINGING DOORS FACING STREET AT THE LANAI: Must be removed and replaced with solid doors matching the standard overhead garage doors. Can be arched in design.
- 3 Item #9 - VENTS: metal gable vent must be painted; louvered foundation vent must be painted to match body color
- 4 Item #12 - EXTERIOR COLORS: existing colors are not approved. Roof and trim are acceptable, body and columns must be changed to an approved color. Colors must be submitted for review and approval. Colors must be darker and in earth tone.
- 5 Item #13 - FRONT ENTRY DOORS: doors are not approved and must be changed. Design is too ornate. Ironwork must be removed.
- 6 Item #15 - DRAINAGE: Grading swales must be added to the top of slope on both sides property lines.
- 7 Item #16 - HORIZONTAL BAND AT FRONT ELEVATION: must be painted to match

- (approved) body color.
- 10 Item #22 - COLUMNS: capitals are not approved, design is inconsistent with architectural style. must be replaced with caps that match the approved drawings.
  - 12 Item #26 - STAIR AT LOWER LOGGIA: item is incomplete due to unfinished edge and handrail.
  - 13 Item #30 - STUCCO WALL AT MASTER SUITE: must be painted to match approved body color.
  - 14 Item #34 - REAR GARAGE DOORS: metal doors are not approved. Must be replaced with a door that matches the standard overhead door. Glazing is not allowed on any garage door.
  - 15 Item #35 - GAZEBO: proposed decorative iron top is not approved. The ADC will consider approval of a wooden top. Columns must match final approved columns for home.

Thank you,

Ruby Hill Architectural Design Committee



August 24, 2012

Anil & Divya Reddy  
P.O. Box 564  
Los Altos, CA 94023

**Re: Request for Reconsideration of Final Inspection  
Lot O-02 @ 3737 W. Ruby Hill Drive, Pleasanton, CA 94566**

Dear Mr. and Mrs. Reddy:

Based on what you have submitted, we are considering your submittal as a request for reconsideration by the ADC. The ADC has reviewed everything you have submitted and discussed at length your position. The ADC has granted your request for reconsideration and has revised their previous decision. The ADC is not convinced that your home is entitled to a final approval and therefore your request for a final approval is still denied. However, the ADC has decided to accept some of the items that you have installed at your home even though they are not consistent with the Architectural Plans that were approved by the ADC.

You have asked for our guidance. Attached is a Memo from the ADC clearly outlining what you need to do to bring the house into compliance. In addition, you need to address the following two issues:

1. The encroachment issue needs to be addressed by a licensed surveyor.
2. The landscaping needs to be finished consistent with the approved plans and inspected.

The ADC has decided to accept the three car garage configuration that you have installed even though it has serious doubts that the garage will effectively function as a three car garage.

**THIS IS NOT INTENDED AS A COMPLETE LIST OF ITEMS AS A COMPLETE LIST CAN ONLY BE PROVIDED AFTER ALL APPROVED WORK HAS BEEN INSTALLED AND INSPECTED.**

One other point. You suggested that the Association pay your surveyor. This is not the policy of the Board. In fact, the policy provides that you will be obligated to pay all costs incurred by the Association in processing your plans and the final approval of your home before any final approval will be granted. This policy has applied to every home built in Ruby Hill and the Board has not indicated any willingness to treat you differently.



August 24, 2012  
Request for Reconsideration of Final Inspection  
Lot O-02 @ 3737 W. Ruby Hill Drive, Pleasanton, CA 94566  
Page 2 of 2

If you want to appeal the decision of the ADC to the full Board, please let us know and a meeting with the Board will be scheduled as soon as possible. Otherwise you should submit the information outlined above and in the attached Memo to the ADC and they will promptly give you their input.

Sincerely,

By the direction of the Board of Directors,

Robert G. Jones  
Manager, Ruby Hill Owners' Association  
[bob@peachtreecas.com](mailto:bob@peachtreecas.com)

Enclosure (1)

- August 17, 2012 – ADC Memo Re: Architectural Compliance

cc: Board of Directors  
Association Files

J:\mcc\clerk\rubyhill\arch\letters\architectural\o-02 (ruby) request for reconsideration of final inspection 8.24.12.doc

## Marion Pavan

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**From:** Katherine Fonte <katherine@peachtreecas.com>  
**Sent:** Wednesday, November 13, 2013 5:10 PM  
**To:** Marion Pavan; Terry Townsend <TJTArchitect@sbcglobal.net>  
(TJTArchitect@sbcglobal.net)  
**Subject:** RE: Support of 100 Owners  
**Attachments:** 2013 Candidate's Statements.pdf

Hello Marion,

Attached are the candidates statements that accompanied the Election Ballots mailed to all owners. As you can see, there is no information in Reddy's statement that relates to the matter involving his home or his dispute concerning his ADG Compliance.

Thank you,

Katherine Fonte  
Association Manager

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(925) 417-1903 | (925) 417-0568 Fax | Office Hours M-F 10AM – 4PM

**From:** Marion Pavan [<mailto:MPavan@cityofpleasantonca.gov>]  
**Sent:** Monday, November 04, 2013 7:51 AM  
**To:** Terry Townsend <[TJTArchitect@sbcglobal.net](mailto:TJTArchitect@sbcglobal.net)> ([TJTArchitect@sbcglobal.net](mailto:TJTArchitect@sbcglobal.net)); Katherine Fonte  
**Subject:** FW: Support of 100 Owners

FYI

**From:** Anil Reddy [REDACTED]  
**Sent:** Sunday, November 03, 2013 8:27 AM  
**To:** Marion Pavan  
**Cc:** Steve Otto; Janice Stern; Brian Dolan  
**Subject:** Support of 100 Owners

Dear Marion,

Please review the attached Notice of Election Results from HOA received this week for RHOA Board Election that concluded on October 28, 2013.

I participated in this election as a Board Candidate to assess the support we from the other Owners of Ruby Hill in the midst of our dispute with HOA and fraud lawsuit against the HOA. Despite HOA's aggressive negative propaganda against our home and family with goal of swaying the City, including a vicious defamatory email they broadcast to entire community on October 08, 2013 misleading the Owners about facts surrounding our lawsuit and home, I received overwhelming support of fellow homeowners some of whom have also written to us.

Notwithstanding the sham nature of these elections with violation of key Election Rules, it is a matter of great satisfaction that by HOA's own ballot count we have acknowledged support of 100 Owners of our newly adopted community. Given the recent mailers sent my City to all Owners about Design Review process and

Planning Commission hearings, these 100 endorsements by fellow homeowners this week are really an *approval* of our home and family, and effectively serves as a 'Petition' in support of our as-built home. We request the City to see it in this light, given the heat of the moment and wide publicity surrounding our home.

Regards,  
Anil

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**RUBY HILL OWNERS' ASSOCIATION  
2013 ELECTION OF DIRECTORS**

**CANDIDATE STATEMENTS**

**GEORGE BELHUMEUR (Incumbent)**

I moved to Ruby Hill 11 years ago because I felt that it was a special place where the homeowners showed pride in their community. I wanted to be a part of that kind of environment in a more meaningful way than just living here. I felt the desire to pay back to the community and contribute by volunteering my services as an HOA director.

I have a BS degree in Civil Engineering and a MBA degree in management. My work experience has focused on Operations and Maintenance at the executive level. My expertise is in facilities and property management, fiscal accountability, asset management, technology integration, capital project management and customer service.

I have served on the board for the Ruby Hill HOA for two terms. I am currently serving as Secretary of the board. My responsibilities have included general oversight of maintenance, and capital projects, representing the board at special hearings and specific oversight of projects related to water and landscaping.

I am recently retired and feel that I will now have even more time to contribute to the goals and needs of the of the board and the community. I have a proven track record and the requisite skills to continue to effectively address the challenges that the community of Ruby Hill will face in the future. I'm committed to represent the best interests of all the members of this special community.

**DIANA NATHAN (Incumbent)**

Fiscal prudence, continued maintenance of a clean and attractive ambiance, and activities for the community to participate in are the foundations for a vibrant and sustaining community like that of Ruby Hill. I have lived in Ruby Hill for 17 years and essentially raised my children from toddlers to college-bound adults. I've also been instrumental in initiating, maintaining or helping out in many of the community activities including the Ruby Hill directory, the Grapevine, the Ruby Hill Giving Thanks Charity, the Gourmet Dinner Club, and the Wine Club.

I have been on the board for the last four years and I've focused on fiscal prudence, the ambiance, and community activities. During this time, the reserves have grown sufficiently to ensure that future capital needs to maintain our environment can be met. This was done without sacrificing the quality of the environment and without raising the dues.

My educational background as an Industrial Engineer and experience at Unisys and Kaiser Electronics in managing and evaluating the economic value of large projects has come in good stead during my service on the board. I'm committed to growing the healthy environment we have in Ruby Hill in a fiscally prudent manner and I'd appreciate your support to continue to do the same.

**RUBY HILL OWNERS' ASSOCIATION**  
**2013 ELECTION OF DIRECTORS - CANDIDATE STATEMENTS (continued)**

**NEAL SORNSSEN (Incumbent)**

I have served on the Ruby Hill Home Owners Association (HOA) board since October of 1997. During the past 16 years, in my role as Treasurer and more recently as President & Treasurer, I have worked closely with the board to successfully moderate overall fee increases, and have maintained the beautiful character of the Ruby Hill community. Your monthly fees have remained constant since 2009 and have increased once in the past 7 years, all during one of the worst real estate challenges any of us have ever experienced. This has been accomplished through prudent and proactive vendor negotiations, as well as approval of responsible and practical projects by your current board. The HOA continues to maintain a stable, predictable and strong financial position and is adequately funded for the upkeep, maintenance and improvement of our community. I have raised my family at Ruby Hill, know many of you from my involvement in our Ruby Hill Swim team and other youth sports over the years and care deeply about our community. If you as a homeowner value what you have experienced living in Ruby Hill, I would ask for your vote to continue a stable, predictable and responsible HOA agenda moving forward.

I joined Ernst & Young L.L.P. in 1987, and am currently a Partner in the Advisory Services Practice. I hold a BA in Business Economics/Accounting from the University of California Santa Barbara. I am a California Certified Public Accountant (CPA), a Certified Information Systems Auditor (CISA) and Certified in Risk & Information Systems Control (CRISC).

**ANIL REDDY (Candidate)**

'Home' is our most valuable asset, and by extension Ruby Hill. While we take pride in our neighborhood, we must strive to improve community finances, transparency, homeowner rights, contractor competence, and Board functioning. It takes knowledge of business, finance, architecture, and construction to protect 'our' collective asset without complacency or bias of an establishment. Over the last year you raised key problems that required urgent attention. Owners expressed serious concerns about unacceptably large "bad debts" and "costs" in RHOA annual financial statements, and demanded accountability!

If elected, I'll help the Board:

1. Reduce your HOA dues to \$200/mo or less!
2. Improve community finances, allowing Owners inspection of "books, records, and financial statements" per CC&Rs Section 9.6.
3. Review Contractor bidding and selection procedures. Review contract terms of (a) long-term community management contractor PeachTree CAS, whose owner Bob Jones is Ruby Hill resident (b) 'new' landscape contractor New Image (c) ADC architectural consultants.
4. Beautify common areas. Add aesthetic focal-point after entry through East-Gate @T-junction. Better overall community maintenance and pest control. Keep community website up-to-date.
5. Ensure correct implementation of CC&Rs and Architectural Guidelines. Review Board Election oversight and ballot-counting procedures, and pursue your desire to place 'term-limits' served by incumbent Board Members.

With doctoral education from Princeton University in Electrical Engineering, I spent two decades running global tech businesses. I designed and built our Spanish home at 3737 W. Ruby Hill Dr., where I live with my wife and two children. When not enjoying community amenities- tennis, basketball, pool, etc., you'll find me coaching son's baseball team or teaching math to middle/high school students. I earned the trust of many of you who urged me to run for Board again. Once elected, I promise to proactively champion 'your' best interests. It'll be my pleasure to serve you!

## Marion Pavan

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**From:** Katherine Fonte <katherine@peachtreecas.com>  
**Sent:** Friday, October 11, 2013 1:30 PM  
**To:** Brian Dolan; Marion Pavan  
**Cc:** Terry Townsend  
**Subject:** Memo Re: Reddy  
**Attachments:** ADC Rebuttal to Reddy Claims for 10.23.13 Hearing.pdf

Dear Brian/Marion,

Attached, please find a memo from the ADC in response to the emails from the Reddys; we would like to ensure that this information is included in your Staff Report.

We would like to confirm our meeting with you on Wed., 10/16 @ 2pm to discuss the attached.

Please let me know if you have any questions.

Thank you,

Katherine Fonte  
Association Manager

Ruby Hill Community Center | 2900 E. Ruby Hill Drive | Pleasanton, CA 94566  
(925) 417-1903 | (925) 417-0568 Fax | Office Hours M-F 10AM – 4PM, Closed 12PM -1PM

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(510) 487-3383 | (510) 487-6936 – Fax | Office Hours: M-F 9AM -5PM, Closed 12PM -1PM

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# Memo

Date: October 11, 2013

To: Brian Dolan, Director of community Development  
Marion Pavan, Associate Planner

From: Ruby Hill ADC

In response to Reddy's emails:

- October 7, 2013 @ 7:46AM – SUB: Misc. Design Features
- October 7, 2013 @ 8:58AM – SUB: White Stucco
- October 7, 2013 @ 12:06PM – SUB: Columns

The CC&Rs and Design Guidelines form the basis why the Ruby Hill Owners' Association (RHOA) acted reasonably in approving the designs of Anil and Divya Reddy (the "Reddys") and in rejecting earlier designs that the Reddys had submitted.

On June 30, 2010, the Architectural Design Committee ("ADC") gave written approval to the Final Design Plans of the Reddy Residence. The ADC expressly stated in the Approval Letter, approval had not been given for exterior colors, materials or landscaping: ("At this time, the exterior color and materials and landscaping have not been reviewed or approved.") The Approval Letter also specified in bold print "any deviation from the approved architectural and landscape plans must be reviewed and approved by the Committee. This applies to any change whether prior to or during construction, or after completion." This requirement for prior approval is set forth in Chapter II (D) Construction Requirements, No. 8, on page 9 of the Design Guidelines. In addition, it is reflected in Sections 11.7, 11.10-11.11 of the CC&Rs at 11.4 and 11.5.

At no point from June 30, 2010, once Reddy's designs were approved by ADC, through March 6, 2012 (the request for final inspection), did the Reddys seek or receive any written approval from the ADC for any deviations to any of their original approved plans, whether architectural or

grading or drainage plans. Reddys failed to meet their obligations to inform the ADC of any changes and to obtain prior written approval before changing their plans, nor at any point before March 6, 2012 had the Reddys obtained written approval of the exterior colors and materials or the landscaping for their residence.

As stated under Chapter V of the Design Guidelines, it is important to note that only traditional styles of architecture that are prevalent in the warm weather wine regions in Europe (including English Country, French Country, Mediterranean, and Italian Villa), as well as styles prevalent in the San Francisco Bay Area (including Craftsman, Bay Area Traditional, Prairie, and Monterey/Spanish Eclectic) are acceptable. The architectural style approved for the Reddy Residence (as depicted on the Final Design drawings, approved June 30, 2010) is Monterey/Spanish Eclectic. The Reddys, by submitting for approval the Final Design drawings, agreed to build a home that conformed to these designs and to the Monterey/Spanish Eclectic style. However, due to all of the unapproved exterior elevation changes, the house no longer conforms to any approved architectural style, and just as importantly, to the June 30, 2010 approved Final Design drawings.

The Reddys have not submitted the opinion of one licensed architect to opine that the as-built residence either conforms to the Monterey/Spanish Eclectic style, or to the June 30, 2010 approved Final Design drawings.

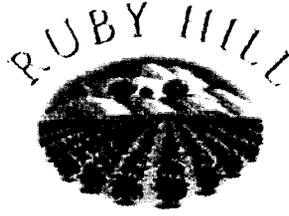
Without processing an Amendment to the Pre-Annexation Agreement with the City of Pleasanton, the only architectural styles that are permitted in Ruby Hill are those described in the Architectural Design Guidelines (“ADG”) provided every homeowner. Reddys argue their house is Spanish Eclectic because they borrow elements with Andalusian Southern Spanish influences. However, the acceptable Monterey/Spanish Eclectic architecture approved for Ruby Hill has its roots in early Californian and Mexican heritage, not Spain. The ADG is very clear on what constitutes a Spanish Eclectic style and in the judgment of the ADC, the home built by the Reddys does not meet the standards applicable to such a style.

Reddys installed the majority of their landscaping before receiving any approvals, including construction of the unapproved gazebo. Reddys ignored their own grading plans that had a setback for grading 15 feet from their neighbor's lot and 15 feet from a City water line easement. They graded where they wanted to grade, ignoring their own landscape designs and trespassed over the City's easement and onto their neighbor's property, negatively impacting their neighbor's drainage. Reddys built what they wanted to build, ignored their own plans, and did not follow through with any further approvals for modifications.

Reddys failed to show up at their own hearing before the RHOA Board to appeal the ADC's ruling to deny final approval of construction. They refused to schedule another hearing at the invitation of the RHOA Board. The Board has asked them on more than one occasion to submit professional opinions to support their arguments, but they have ignored those requests. In fact, the original architect or designer used has withdrawn from the matter, as has the landscape architect.

Neither the ADC, nor the Association, is here to examine each and every house where Reddys say there are exceptions. Reddys are not architects, nor have they provided addresses or shown approved plans for any of these houses, so it is unclear from a picture whether the design was approved or whether another homeowner received the required approvals. This applies to colors as well; there are many variations of white. Since Reddys have never submitted colors for consideration, we are unable to compare it to any existing colors that have been approved for Ruby Hill.

In summary, the variations made by the Reddys to their approved building plans during construction were significant. If plans with those variations had been submitted in the beginning, they would never have been approved. During the first pre-design conference, and subsequent ADC meetings, the Reddys brought in sketches and photographs similar to what they eventually built, and were told by the ADC that the architecture and elements described in the sketches and photographs were not consistent with the architectural styles prescribed for Ruby Hill and would not be approved. Once they received final approval of their plans, the Reddys knowingly constructed features similar to the original sketches and photos, which they knew were unacceptable.



July 25, 2012

Anil and Divya Reddy  
P.O. Box 564  
Los Altos, CA 94023

**Re: Ruby Hill Landscape and Irrigation Plan Submittal**  
**Lot O-02 @ 3737 W. Ruby Hill Drive, Pleasanton, CA 94566**

Dear Mr. and Mrs. Reddy:

The Landscape and Irrigation Committee has reviewed your plans for above-referenced Ruby Hill home site. Plans reviewed on July 25, 2012, were approved to install front and backyard landscape including, fountain, hardscape, and irrigation per plans submitted. **The proposed gazebo is not approved- exceeds the maximum height of 15' and proposed dome is too ornate.**

**Note: \*\*Per page 28 of the Design Guidelines, all landscaping must be completed, in accordance with the approved landscape plans, prior to occupancy of the home.\*\***

1. All construction must be in accordance with City rules and regulations. All necessary permits from Public Agencies must be applied for and granted and copies of the same must be provided to the Association by the homeowner prior to the commencement of installation.
2. Construction is in accordance with plans as approved. Any deviations will require re-submission of revised plans and approval prior to implementation.
3. The drainage pattern originally established by the developer is maintained or enhanced without adversely impacting the building or common area landscaping. Drainage water must flow freely to and through the common area drain collection without affecting adjacent properties, ponding near foundations or damaging common areas. (if applicable)
4. All improvements must be maintained properly so as not to be unsightly to your neighbors.
5. The Design Review Committee and/or the Board of Directors reserve the right to pursue the removal of improvements, at the property owners' expense, in the event the improvements are not maintained to reasonable standards set forth by the Association.

"Final approval" of these plans and the specifications do not imply Architectural Design Committee approval of the structural integrity or the mechanical systems as described by the plans including the installation of the landscape and irrigation.

We will make periodic inspections of the construction of the landscape and irrigation to assure compliance with the Architectural Design Guidelines, as described in the Ruby Hill Declaration of Covenants, Conditions and Restrictions. The Architectural Design Committee reserves the right to cure oversight errors on its part in the review of the plans and specifications which may appear or be observed during construction (and which are in conflict with the Guidelines) in order to maintain and preserve the integrity of the architectural guidelines established for the community.

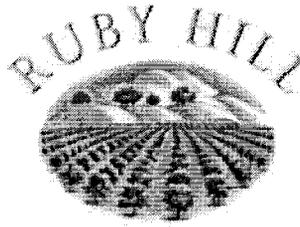
Please notify the Committee if any additional changes are made to the approved plans. Thank you for properly complying with the CC&Rs and the architectural design review process. If you have any questions, please contact the committee in writing.

Sincerely,  
RUBY HILL ARCHITECTURAL DESIGN COMMITTEE

Katherine Fonte  
Association Manager, Architectural Administrator  
[Katherine@peachtreecas.com](mailto:Katherine@peachtreecas.com)

cc: Association Files

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March 22, 2012

Anil and Divya Reddy  
P.O. Box 564  
Los Altos, CA 94023

**Re: Ruby Hill Architectural Final Inspection  
Lot O-02 @ 3737 W. Ruby Hill Drive, Pleasanton, CA 94566**

Dear Mr. and Mrs. Reddy:

On March 18, 2012, the Architectural Design Committee (ADC) completed a final inspection of your architecture at the above-referenced Ruby Hill homesite.

Your property does not meet the requirements to be granted final approval. There are several items that are either incomplete or require additional information. Each of the following items must be addressed before the ADC can conduct another final walk.

1. The driveway was barricaded and appeared to be complete but needs to be cleaned up.
2. The columns at the auto court measured 68 inches from finished driveway to top of column. This height exceeds the 60 inch maximum specified in the variance approved for this specific lot in regard to columns in the front setback.
3. A driveway gate has not been installed. If one is proposed in the future, detailed construction drawings are required to be submitted to the ARC for review and approval. Maximum height of the gate, as specified in the variance, is limited to 48 inches.
4. The pair of swinging garage doors facing the street have not been installed. The plans show a standard square door which matches the two side facing doors. However, the rough opening is framed for two arched doors. To date, no manufacturer's specifications or 'cut sheets' have been submitted to the ARC for review and approval of garage doors. The Owner needs to submit them prior to fabrication and installation of these doors, along with the revision noted on as-built drawings. The two garage doors that are facing the interior of the auto court are installed and approved.
5. Exterior light fixtures at the auto court need to be installed.
6. It appears that the unfinished space at the second floor over the garage has been changed to conditioned space. These changes include the addition of windows facing the front and a second story balcony. As-built drawings are required to be submitted to the ARC for review and approval of this change.
7. A window has been added to the closet at bedroom 4 on the second floor. This change is acceptable, but needs to be reflected on the as-built drawings and submitted to the ARC.
8. The installation of the cap for the wall of the auto court has not been finished.



March 22, 2012

Ruby Hill Architectural Final Inspection

Lot O-02 @ 3737 W. Ruby Hill Drive, Pleasanton, CA 94566

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9. The metal gable vents need to be painted.
10. The exterior facing material at the front garage has been changed to plain stucco. This is acceptable but needs to be reflected in the as-built drawings and submitted to the ARC.
11. The sill detail for all of the windows appears to have been revised and no sill is present. This needs to be reflected on the as-built drawings and submitted to the ARC.
12. Exterior colors were never submitted to the ARC for review and approval. Currently, the house has a bright white color on the front accented by a peach/salmon trim. This combination does not work and is not approved. In addition, several colors are applied to the rear of the house. It is unclear whether the Owner is suggesting different components be painted in different hues or whether samples are being applied. In any event, colors must be submitted to the ARC for review and approval prior to further painting.
13. Manufacturer's specifications for the three entry doors were never submitted to the ARC for review and approval. These doors are currently installed and are very ornate in their ironwork. Manufacturer's specifications and 'cut-sheets' need to be submitted to the ARC for review and approval.
14. The stair tread lighting needs to be installed in numerous locations in the front entry walk.
15. Several downspouts are missing. They need to be installed and connected in accordance with the drainage plan. Area drains need to be installed and connected throughout the project. Final grading needs to be completed to assure slopes direct drainage to appropriate collection and away from neighboring properties. Final grading at common property lines needs to be brought back to the elevation prior to construction.
16. A horizontal band was added to the front elevation at mid-level. This band is painted the contrasting peach/salmon color and clashes with the rest of the façade. I suggest this band be painted the final approved body color. In addition, this change needs to be reflected in the as-built drawings.
17. Dirt is still stock piled on site and needs to be removed as part of the final grading.
18. The retaining wall on the left side is unfinished exposed concrete. Finish material, texture, and color needs to be applied.
19. The arbor on the retaining wall on the left side needs to be built and completed.
20. The doors next to the mechanical room on the lower floor of the left side need to be installed (along with hardware) and painted. Mechanical equipment has not been installed.
21. There are black ABS pipes protruding between floors on the left side. These need to be trimmed, finished, and painted.
22. The columns at the lower floor at the lower loggia are incomplete and need to be finished.
23. The wall cap at the lower floor at the lower loggia needs to be installed.
24. The BBQ at the lower loggia is not installed.
25. The light fixtures at the lower loggia need to be installed.
26. The stair from the lower loggia to the tower is incomplete, has an unfinished edge, and lacks a handrail. Tread lighting needs to be installed.
27. The railing at the upper loggia needs to be installed.
28. The railing at the upper tower needs to be installed.
29. The center bench at the upper tower needs to be installed.



March 22, 2012

Ruby Hill Architectural Final Inspection

Lot O-02 @ 3737 W. Ruby Hill Drive, Pleasanton, CA 94566

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30. It is unclear whether the stucco back wall of the master suite on the second floor is finish coated or painted.
31. The columns at the rear lower courtyard (by the family/living/guest) are incomplete and need to be finished.
32. The railing at the second floor roof deck off the game room needs to be installed.
33. The spiral stair to the roof deck needs to be installed.
34. The doors at the rear of the garage need to be installed.
35. The gazebo is incomplete.
36. The fountain and retaining wall that connects to the tower are incomplete and unfinished.
37. A second floor terrace has been added to the rear of the former unfinished room over the garage. This needs to be added to the as-built plans and submitted to the ARC.
38. The finish grading at the rear yard is incomplete. Water is sitting on the site.
39. Construction debris is stock piled in the rear yard and uncontained.
40. The garage contains several finish materials yet to be installed on the exterior of the residence.
41. Numerous electrical fixtures are missing and need to be installed.
42. Numerous bare wires are hanging on the exterior and need to be connected.
43. The HVAC screen wall on the right side is unfinished. Final color, texture, and wall cap need to be installed.
44. HVAC equipment needs to be installed.
45. Several tarps are on the ground throughout the property. These need to be removed.
46. Scaffolding is laying on the ground on the property and needs to be removed.
47. The plastic covering the windows on the interior needs to be removed. Windows need to be cleaned.
48. Although landscaping plans have been submitted, final approval of plans has not been granted.
49. All landscaping must be installed (final inspection must be completed and approved).

Please contact our office after each of the items have been addressed and you are ready to schedule a follow-up inspection.

Sincerely,

RUBY HILL ARCHITECTURAL DESIGN COMMITTEE

Katherine Fonte

Association Manager, Architectural Administrator

[Katherine@peachtreecas.com](mailto:Katherine@peachtreecas.com)

cc: Association Files  
City of Pleasanton, Building

June 30, 2010

Anil & Divya Reddy  
P.O. Box 564  
Los Altos, CA 94023

**Re: Ruby Hill Final Design Submittal / Lot O-02 @ 3737 W. Ruby Hill Drive, Pleasanton, CA 94566**

Dear Ruby Hill Lot Owner(s):

On June 30, 2010, the Architectural Design Committee (ADC) reviewed the Final Design submittal for the above-referenced Ruby Hill homesite. Plans have been approved in accordance with the submitted plans dated June 24, 2010, stamped and signed by the ADC on June 30, 2010. The complete set includes Architectural Details (Sheets 0 – 9); Structural Plans (Sheets S1 – S-5); Landscaping Plans (Sheets L-2 & L-3, **not reviewed or approved at this time**); and Grading and Drainage Plan (Sheets C1 – C3). Each page has been initialed and dated by the ADC. This approval allows you to proceed and submit the plans to the City of Pleasanton for a building permit.

***At this time, the exterior color and materials and landscaping have not been reviewed or approved.*** Prior to commencing with construction, you must submit a copy of your permit to the ADC. Your construction deposit in the amount of \$5,000, will be fully refunded upon completion of all improvements, including landscaping, cleanup and acceptance by the ADC, provided there is no damage by the owner and/or his/her contractor. Please note: if not using a featured builder, you must submit your builder for approval. The builder must provide the ADC a general certificate of liability insurance policy for the construction period listing Ruby Hill Owners' Association as additionally insured. Limits are \$1M per occurrence and \$2M aggregate.

***Prior to City final approval, the Design Review Committee will require the following to be certified and match the approved design review drawing: (A) Height of home; (B) Subfloor height; (C) Garage slab height; (D) Finish grades of front and rear yards and retaining wall heights***

"Final approval" of these plans and the specifications do not imply Architectural Design Committee approval of the structural integrity or the mechanical systems as described by the plans, or of the structure erected from them. Periodic inspection of the construction of the home to assure compliance with the Architectural Design Guidelines, as described in the Ruby Hill Declaration of Covenants, Conditions and Restrictions will be made. The Architectural Design Committee reserves the right to cure oversight errors on its part in the review of the plans and specifications which may appear or be observed during construction (and which are in conflict with the Guidelines) in order to maintain and preserve the integrity of the architectural guidelines established for the community.

**Should any deviations or modifications from the original approved plans be required during construction, the owner must first receive written approval from the ADC for those changes prior to proceeding with construction.**

Sincerely,  
ARCHITECTURAL DESIGN COMMITTEE, RUBY HILL OWNERS' ASSOCIATION

By: Katherine Fonte  
Association Manager  
[Katherine@peachtreeccas.com](mailto:Katherine@peachtreeccas.com)

cc: Rosalind Rondash, Planning Department, City of Pleasanton  
Association Files